

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
THOMAS HARRIS, JR.	:	VIOLATIONS:
	:	18 U.S.C. § 924(a)(1)(A)(making false
	:	statements to a federal firearm licensee-
	:	12 counts)
	:	18 U.S.C. § 922(a)(1)(A) (dealing in
	:	firearms without a license – 1 count)
	:	18 U.S.C. § 922(e) (delivery of firearms to
	:	a common carrier without written notice
	:	– 1 count)
	:	18 U.S.C. § 554 (smuggling goods from
	:	the United States – 1 count)
	:	Notice of forfeiture

INDICTMENT

COUNTS ONE THROUGH TWELVE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Defendant THOMAS HARRIS, JR. was not licensed to deal in firearms under the provisions of Chapter 44, Title 18, United States Code.
2. Guardian Training Center, 1528 Campus Drive, Warminster, Pennsylvania, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.
3. Tanner's Sports Center Inc., 2301 York Road, Jamison, Pennsylvania, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal

laws.

4. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.

5. The rules and regulations governing FFL holders require that a person seeking to purchase a firearm fill out a Firearm Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form 4473 are true and correct. The Form 4473 contains language warning that “making any false oral or written statement, or the exhibiting of any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony,” and “...the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of law.” The Form 4473 further contains the warning that “Any person who exports a firearm without proper authorization may be fined not more than \$1,000,000 and/or imprisoned for not more than 20 years.”

6. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer’s current residence address. Question number two of the ATF Form 4473 thus required the buyer to provide his “Current State of Residence and Address Number and Street Address.”

7. On or about the dates listed below, in Jamison and Warminster, in the Eastern District of Pennsylvania, defendant

THOMAS HARRIS, JR.,

in connection with the acquisition of each of the firearms listed below from the FFL holders listed below, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holders' records, in that defendant HARRIS, JR. certified on the Form 4473 that he currently resided at 4105 Portsmouth Court, Bensalem, Bucks County, Pennsylvania when in fact, as defendant knew, this statement was false and fictitious, each date constituting a separate offense:

Count	Date	FFL Location	Firearm
One	April 20, 2019	Tanner's Sports Center Inc.	<p>A Glock, Model 27, 40 caliber pistol, bearing serial number YND994;</p> <p>A Springfield Armory, Model XDS, 9mm pistol, bearing serial number S3745760; and</p> <p>A Smith & Wesson, Model SW40VE, .40 caliber pistol, bearing serial number RBA0677.</p> <p>A Glock, Model 30S, .45 caliber pistol, bearing serial number WUS814.</p>
Two	June 8, 2019	Tanner's Sports Center Inc.	<p>A Taurus, Model Curve, .380 caliber pistol bearing serial number 1D128674; and</p> <p>An American Tactical Imports, Model Omni Hybrid, .300 caliber pistol, bearing serial number NS208529.</p>

Three	July 20, 2019	Tanner's Sports Center Inc.	<p>A CAI / Cugir, Model Mini Draco, 762x39 mm pistol, bearing serial number PE-5193-2018;</p> <p>A CAI Nova group SRI , Model NAK-9, 9mm pistol, bearing serial number RNVMB71814340; and</p> <p>An American Tactical Imports, Model Omni Hybrid, 5.56 x 45mm pistol, bearing serial number NS211127.</p>
Four	August 3, 2019	Tanner's Sports Center Inc.	<p>A Rock River Anderson Arms, Model AR-15, 5.56 x 45mm rifle, bearing serial number KT1181893.</p>
Five	August 24, 2019	Tanner's Sports Center Inc.	<p>An American Tactical Imports, Model Omni Hybrid, 5.56 x 45mm pistol, bearing serial number NS207198;</p> <p>An American Tactical Imports, Model Omni Hybrid, 5.56 x 45mm pistol, bearing serial number NS210645; and</p> <p>A Delton 316, Model OR MLOK, 5.56 x 45mm rifle, bearing serial number S184732.</p>
Six	September 24, 2019	Tanner's Sports Center Inc.	<p>A Taurus, Model G2C, 9mm pistol, bearing serial number TLW16571;</p> <p>A Taurus, Model G2C, 9mm pistol, bearing serial number TLX46856; and</p> <p>A Beretta, Model APX, 9mm pistol, bearing serial number A045151X.</p>

Seven	November 8, 2019	Tanner's Sports Center Inc.	<p>A Smith & Wesson , Model Shield, .40 caliber pistol, bearing serial number DXE3551;</p> <p>A Beretta, Model APX, 9mm pistol, bearing serial number A006329X;</p> <p>A Taurus, Model G2C, 9mm pistol, bearing serial number TLW11624; and</p> <p>A Ruger, Model EC9S, 9mm pistol, bearing serial number 456-49505.</p>
Eight	November 16, 2019	Tanner's Sports Center Inc.	<p>A Glock, Model 27, .40 caliber pistol, bearing serial number UDE406;</p> <p>A Glock, Model 23, .40 caliber pistol, bearing serial number KCD699;</p> <p>A Taurus, Model G3, 9mm pistol, bearing serial number TMW76396;</p> <p>A Beretta, Model 96D Centurion, .40 caliber pistol, bearing serial number BERO48927; and</p>
Nine	February 1, 2020	Tanner's Sports Center Inc.	<p>A Glock , Model 43, 9mm pistol, bearing serial number ZNE238;</p> <p>A Glock , Model 26, 9mm pistol, bearing serial number XKT071; and</p> <p>A Glock, Model 19, 9mm pistol, bearing serial number BKZX677.</p>

Ten	February 8, 2020	Tanner's Sports Center Inc.	<p>A Delton, Model DTI 15, 5.56 x 45mm pistol lower receiver, bearing serial number DTI-S215372;</p> <p>An American Tactical Imports, Model Omni, 5.56 x 45mm pistol lower receiver, bearing serial number NS250537;</p> <p>A Glock, Model 23, .40 caliber pistol, bearing serial number SMR659; and</p> <p>A Glock , Model 27, .40 caliber pistol, bearing serial number DDZ784.</p>
Eleven	February 15, 2020	Tanner's Sports Center Inc.	<p>A Ruger, Model SR9C, 9mm pistol, bearing serial number 333-33598;</p> <p>A Glock, Model 27, .40 caliber pistol, bearing serial number BUL376US;</p> <p>A Glock, Model 23, .40 caliber pistol, bearing serial number XKG955;</p> <p>A CAI / Cugir , Model Mini Draco, 762x39 mm pistol, bearing serial number PE-1169-2019; and</p> <p>A CAI / Cugir, Model Mini Draco, 762x39 pistol, bearing serial number DF-2128-19.</p>
Twelve	February 15, 2020	Guardian Training Center	<p>A Century Arms, Model RAS47, rifle, bearing serial number RAS47102000; and</p> <p>A Century Arms, Model RAS47 rifle, bearing serial number RAS47102002.</p>

All in violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraph One of Count One is incorporated here.
2. From on or about April 20, 2019, through on or about February 24, 2020, in Jamison, Warrington, and Croydon, in the Eastern District of Pennsylvania, and elsewhere, defendant

THOMAS HARRIS, JR.

willfully engaged in the business of dealing in firearms without being licensed to do so under the provisions of Chapter 44, Title 18, United States Code.

In violation of Title 18, United States Code, Sections 922(a)(1)(A) and 924(a)(1)(D).

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 24, 2020, in the Eastern District of Pennsylvania,
defendant

THOMAS HARRIS, JR.

knowingly and willfully delivered and caused to be delivered to any common and contract carrier for transportation and shipment in interstate and foreign commerce to a person other than a licensed firearm importer, licensed manufacturer, licensed dealer and licensed collector, a package and other container in which there was a firearm, without having provided written notice to such carrier that such firearm was being transported and shipped.

In violation of Title 18, United States Code, Section 922(e) and 924(a)(1)(D).

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. The Arms Export Control Act, Title 22, United States Code, Section 2778 (“AECA”) authorized the President to control the export of defense articles and defense services from the United States. Unless a specific exception applied, the AECA provided that no defense articles or defense services may be exported without a license for such export. 22 U.S.C. § 2778(b). The regulations promulgated pursuant to the AECA were the International Traffic in Arms Regulations (“ITAR”), Title 22, Code of Federal Regulations, Sections 120 through 130. The United States Department of State, Directorate of Defense Trade Controls (the “DDTC”) administered the ITAR and regulated the export of defense articles. Section 2778(c) of the AECA established criminal penalties for any willful violation of Section 2778 or any rule or regulation thereunder. Under Section 123.1 of the ITAR, any person who intended to export a defense article had to obtain the approval of the DDTC before such export occurred. Pursuant to the ITAR, exporting, or attempting to export, a defense article from the United States without a license or written approval from the DDTC was unlawful. 22 C.F.R. § 127.1(a)(1). The ITAR defined exporting to include, among other things: “[s]ending or taking a defense article out of the United States in any manner” 22 C.F.R. § 120.17.

2. The ITAR defined a defense article to be any item on the United States Munitions List (“USML”) contained in the regulations. The USML set forth twenty-one categories of defense articles that were subject to export licensing controls by the DDTC. 22 C.F.R. § 121.1.

3. At all times relevant to this indictment, firearms were classified in Category I of the USML and required a license for export from the United States.

4. At no time did the defendant apply for, receive, or possess a license or written authorization from the Department of State, DDTC, to export firearms from the United States.

5. On or about February 24, 2020, the defendant, THOMAS HARRIS, JR. presented a package containing 14 firearms to a common carrier for shipment to an individual in the nation of Saint Lucia.

6. On or about February 24, 2020, in the Eastern District of Pennsylvania and elsewhere, defendant

THOMAS HARRIS. JR.

did knowingly export and send from the United States, and attempt to export and send from the United States, any merchandise, article, and object, that is, 14 firearms, contrary to law and regulation of the United States, and did facilitate the transportation and concealment of said firearms prior to exportation, knowing the same to be intended for exportation contrary to any law and regulation of the United States, specifically, Title 22, United States Code, Sections 2778 (b)(2) and 2778 (c).

In violation of Title 18, United States Code, Section 554.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 922(a)(1)(A), 922(e), and 924(a)(1)(A) set forth in this indictment, defendant

THOMAS HARRIS, JR.

shall forfeit to the United States of America the firearms and ammunition involved in the commission of this offense, including, but not limited to:

1. A Glock, Model 27, 40 caliber pistol, bearing serial number YND994;
2. A Springfield Armory, Model XDS, 9mm pistol, bearing serial number S3745760;
3. A Smith & Wesson, Model SW40VE, .40 caliber pistol, bearing serial number RBA0677;
4. A Glock, Model 30S, .45 caliber pistol, bearing serial number WUS814;
5. A Taurus, Model Curve, .380 caliber pistol, bearing serial number 1D128674;
6. An American Tactical Imports, Model Omni Hybrid .300 caliber pistol, bearing serial number NS208529;
7. A CAI / Cugir, Model Mini Draco, 762x39 mm pistol, bearing serial number PE-5193-2018;
8. A CAI Nova group SRI , Model NAK-9, 9mm pistol, bearing serial number RONVMB71814340;

9. An American Tactical Imports, Model Omni Hybrid 5.56 x 45mm pistol, bearing serial number NS211127;
10. A Rock River Anderson Arms, Model AR-15, 5.56 x 45mm rifle, bearing serial number KT1181893;
11. An American Tactical Imports, Model Omni Hybrid, 5.56 x 45mm pistol, bearing serial number NS207198;
12. An American Tactical Imports, Model Omni Hybrid, 5.56 x 45mm pistol, bearing serial number NS210645;
13. A Delton 316, Model OR MLOK, 5.56 x 45mm rifle, bearing serial number S184732;
14. A Taurus, Model G2C, 9mm pistol, bearing serial number TLW16571;
15. A Taurus, Model G2C, 9mm pistol, bearing serial number TLX46856;
16. A Beretta, Model APX, 9mm pistol, bearing serial number A045151X;
17. A Smith & Wesson , Model Shield .40 caliber pistol, bearing serial number DXE3551;
18. A Beretta, Model APX, 9mm pistol, bearing serial number A006329X;
19. A Taurus, Model G2C, 9mm pistol, bearing serial number TLW11624;
20. A Ruger, Model EC9S 9mm pistol, bearing serial number 456-49505;
21. A Glock, Model 27, .40 caliber pistol, bearing serial number UDE406;
22. A Glock, Model 23, .40 caliber pistol, bearing serial number KCD699;
23. A Taurus, Model G3 9mm pistol, bearing serial number TMW76396;
24. A Beretta, Model 96D Centurion .40 caliber pistol, bearing serial number BERO48927;

25. A Glock , Model 43, 9mm pistol, bearing serial number ZNE238;
26. A Glock , Model 26, 9mm pistol, bearing serial number XKT071;
27. A Glock, Model 19, 9mm pistol, bearing serial number BKZX677;
28. A Delton, Model DTI 15, 5.56 x 45mm pistol lower receiver, bearing serial number DTI-S215372;
29. An American Tactical Imports, Model Omni, 5.56 x 45mm pistol lower receiver, bearing serial number NS250537;
30. A Glock, Model 23, .40 caliber pistol, bearing serial number SMR659;
31. A Glock , Model 27, .40 caliber pistol, bearing serial number DDZ784;
32. A Ruger, Model SR9C, 9mm pistol, bearing serial number 333-33598;
33. A Glock, Model 27, .40 caliber pistol, bearing serial number BUL376US;
34. A Glock, Model 23. .40 caliber pistol, bearing serial number XKG955;
35. A CAI / Cugir , Model Mini Draco, 762x39 mm pistol, bearing serial number PE-1169-2019;
36. A CAI / Cugir, Model Mini Draco, 762x39 pistol, bearing serial number DF-2128-19;
37. A Century Arms Model RAS47 rifle, bearing serial number RAS47102000;
38. A Century Arms Model RAS47 rifle, bearing serial number RAS47102002;
39. Two AR-15 upper receivers;
40. 800 rounds of ammunition; and
41. 17 ammunition magazines.

42. A Glock, Model 30S, .45 caliber pistol, bearing serial number WUS814.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,
United States Code, Section 924(d).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, 554 set forth in this indictment, defendant

THOMAS HARRIS, JR.

shall forfeit to the United States, pursuant to Title 22, United States Code, Section 401, as made applicable by Title 28, United States Code, Section 2461(c), any arms or munitions of war or other articles, commodity, or technology which is intended to be or is being exported in violation of the laws governing such exports and any vessel, vehicle, or aircraft containing the same or which has been used or is being used to export or attempt to export such arms, munitions of war, other articles, commodities, or technology.

The forfeitable property includes, but is not limited to, the following:

1. A Glock, Model 27, 40 caliber pistol, bearing serial number YND994;
2. A Springfield Armory, Model XDS, 9mm pistol, bearing serial number S3745760;
3. A Smith & Wesson, Model SW40VE, .40 caliber pistol, bearing serial number RBA0677;
4. A Glock, Model 30S, .45 caliber pistol, bearing serial number WUS814;
5. A Taurus, Model Curve, .380 caliber pistol, bearing serial number 1D128674;
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14. A Taurus, Model G2C, 9mm pistol, bearing serial number TLW16571;
15. A Taurus, Model G2C, 9mm pistol, bearing serial number TLX46856;
16. A Beretta, Model APX, 9mm pistol, bearing serial number A045151X;
17. A Smith & Wesson , Model Shield .40 caliber pistol, bearing serial number DXE3551;
18. A Beretta, Model APX, 9mm pistol, bearing serial number A006329X;
19. A Taurus, Model G2C, 9mm pistol, bearing serial number TLW11624;
20. A Ruger, Model EC9S 9mm pistol, bearing serial number 456-49505;
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24. A Beretta, Model 96D Centurion .40 caliber pistol, bearing serial number BERO48927;
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32. A Ruger, Model SR9C, 9mm pistol, bearing serial number 333-33598;
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36. A CAI / Cugir, Model Mini Draco, 762x39 pistol, bearing serial number
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37. A Century Arms Model RAS47 rifle, bearing serial number
RAS47102000;

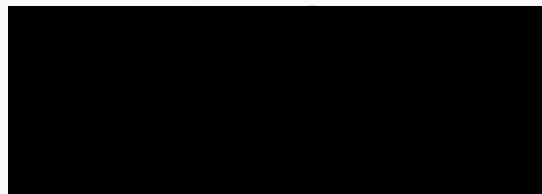
38. A Century Arms Model RAS47 rifle, bearing serial number RAS47102002;
39. Two AR-15 upper receivers;
40. 800 rounds of ammunition; and
41. 17 ammunition magazines.
42. A Glock, Model 30S, .45 caliber pistol, bearing serial number WUS814.


If any of the forfeitable property, as a result of any act or omission of the defendant,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without

difficulty it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

A TRUE BILL:




WILLIAM M. McSWAIN
United States Attorney

No. _____

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

vs.

THOMAS HARRIS, JR.

INDICTMENT

Counts

18 U.S.C. § 924(a)(1)(A) (making false statements to a federal firearm licensee – 12 counts); 18 U.S.C. § 922(a)(1)(A) (dealing in firearms without a license – 1 count); 18 U.S.C. § 922(e) (delivery of firearms to a common carrier without written notice – 1 count); 18 U.S.C. § 554 (smuggling goods from the United States – 1 count); Notice of forfeiture

Filed in open court this _____ day,
Of SEPTEMBER A.D. 20 20

Clerk

Bail, \$ _____
